CLERK'S OFFICE U.S. DIST. COURT AT DANVILLE, VA

IN THE UNITED STATES DISTRICT COURT FOR THE WESTERN DISTRICT OF VIRGINIA ROANOKE DIVISION

AUG - 1 2011

JULIA C. DUDLEY, CLERK

BY:

DEPUTY CLERK

MICHAEL ANTHONY MCCLANAHAN, Plaintiff,

Civil Action No. 7:11-cv-00297

v.

ORDER

LARRY CROUSE, Defendant.

By:

Hon. Jackson L. Kiser

Senior United States District Judge.

In accordance with the memorandum opinion entered this day, it is hereby

ORDERED

that the complaint is **DISMISSED** without prejudice and is **STRICKEN** from the active docket of the court. Plaintiff may refile the complaint as a new and separate action at the time he can pay the \$350 filing fee or file the necessary documents to proceed in forma pauperis.

The Clerk is directed to send a copy of this order to plaintiff.

ENTER: This day of August, 2011.

Senior United States District Judge